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ABSTRACT

This bulletin reports the results of a review of research about the educational process used in detention and training schools to identify elements that would assist in adapting law-related education (LRE) materials and strategies to juvenile justice settings. Findings and recommendations are summarized according to the following categories: goals and purposes, correctional education settings, teacher characteristics, student characteristics, educationally handicapped students, correctional education models, teaching approaches, transition back to the community, habilitation, cognitive skill development, and the role of law related education. (DB)

Juvenile Correction Education:

A Review of Current Literature

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Bulletin

American Bar Association *Special Committee on Youth Education for Citizenship*

Juvenile Correction Education: A Review of Current Literature

by Peg Rider-Hankins

Introduction

"Correctional education must develop effective education programs for students who have not succeeded in an educational system that was not designed to meet their needs or deal with their circumstances" Garfunkel (1986). Research about the educational process in detention and training schools was reviewed to identify elements that would assist in adapting law-related education (LRE) materials and strategies to juvenile justice settings.

Goals and Purposes

Political, legal, security, economic, and numerical realities shape the direction of correctional education more frequently than the educational needs of inmates. "Administrators are preoccupied with maintaining order and security. Teachers find it difficult to concentrate on subject matter when students' psychological needs beg for attention. Students place short-term needs before long-term needs" (Sedlak, 1987). Authors differ on the goal of correctional education. Some believe the underlying process of how inmates learn is primary; others believe the achievement of degrees and diplomas is more important. For many, integrating education and treatment approaches forecasts the future of correctional education (Collins, 1988; Pecht, 1983; Duguic, 1988 and 1990; Brown, 1990; Westat, 1991; Michalek, 1988; Wolford, 1987; Gehring, 1988 and 1990; Homant, 1984; Fabiano, 1991; Merren, 1991; Van Nagel, 1986; Roby, 1991; Albrecht, 1991; Rabak, 1991;, Goldstein, 1986; CEA, 1988; Degraw, 1987; Bell, 1990; Sedlak, 1990).

Correctional Educational Settings

While students' stays (from a few months to years) at training schools are longer than at detention centers (from overnight to a few months), many of the educational issues and goals are similar. Classes have students with different lengths of stay, differing abilities, and achievement levels. Youth are pulled out of class for counseling and health care appointments, meetings with attorneys, court appearances, work assignments, or transfers out of the institution. Teachers work with students to enhance academic skills, help maintain the fragile educational relationship between youth and education, provide remedial education, aid in transition to the next educational situation, and incorporate specialized education methodology that meets minimum state educational standards (Amster, 1984; Bullock, 1983; Bosma, 1987; Roush, 1983; Jones, 1989).

Teacher Characteristics

Educators are often unsure about their role in the correctional system. Correctional teachers' attitudes toward residents tend to differ from those of correctional staff. Educators place greater emphasis on factors relevant to residents' lives after release as opposed to institutional factors such as security, the area emphasized by correctional staff. Many lack the sophistication and "street-smarts" needed to effectively teach and survive in an institutional setting. Many have concerns about their personal safety and feel ill-at-ease in a confined atmosphere.

The personality of an effective correctional education teacher includes maturity, creativity, self-awareness, flexibility, sincerity, and the ability to tolerate a high degree of stress. They are sensitive to their students' situations and accept that some students will project their own pain onto their teachers. They are respectful of their students and use their sense of humor to cope (Forbes, 1991; Bartollas, 1983; Brown, 1990; Farmer, 1990; Pecht, 1983; Pecht-Miller, 1987; Reffett, 1983; Garfunkel, 1986; Gehring, 1985, 1988, and 1989, Roush, 1983; Bell, 1990; DeGraw, 1987; Eggleston, 1986; Wolford, 1987; Van Nagel, 1986; Pasternak, 1988; Sedlak, 1990).

Student Characteristics

By the time young people enter juvenile justice institutions, they have been in a downward spiral for most, if not all,

their lives. They are lonely failures, usually throw-away children, who have built walls of defenses that defy anyone to penetrate. They have grown up subjected to extremely damaging combinations of educational, developmental, family, environmental and health factors.

Intelligence is now recognized as a primary factor in a person's coping abilities. A child with lower intelligence frequently is more vulnerable to suggestions of deviant behavior and less able to avoid detection. The inability to succeed at school progresses into a pattern of poorly-assimilated learning abilities, delays in mastering the basic academic skills, noncompletion of schoolwork, and retention in grade level. A child's self-esteem deteriorates when he or she cannot learn and perform well enough to gain teacher approval and academic achievement. As a result, the child is neither motivated nor encouraged to improve. If school personnel do provide some encouragement, it is frequently rejected or has only short-term effect because it is not reinforced at home or in the community. Low self-esteem and poor self-image are a given for these youth. Ferguson (1990) states that they "vacillate between two extreme self-perceptions—all-powerful or worthless and hopeless, a victim of life and society."

The incarcerated youth is rarely a first-time offender and has an extensive prior arrest record. He or she usually began to display persistent behavior problems and to engage in high risk activities at an early age. Most were put in placements when young and moved through a series of placements in which they failed due to violence, absconding or other disturbed behavior. Academic difficulties are accompanied by behavior problems. Truancy begins as early as elementary school, often encouraged by the family's frequent moves and changes of schools. "The single best predictor of adolescent criminal behavior is a long-established pattern of early school antisocial behavior. A member of such a deviant group has an almost 70% chance of experiencing a first felony arrest within two years" (Walker, 1991). School status labels depicting ability, deviance from school norms, potential, and a particular socioeconomic status are related to involvement in delinquency. When a youth is involved in juvenile court, the determination of whether to process the youth as a delinquent is often based on school status labels.

Resistance to traditional authority, alienation, and a strong need for independence increase and are reinforced in the community as the child begins spending more time on the streets. Alienation and isolation from family, school, and community result in hostility and patterns of learned helplessness. Vandalism and alcohol and other drug use at school are expressions of this alienation.

Although delinquency is present in all socioeconomic strata, the majority of offenders, especially those charged with violent crimes, come from the lower socioeconomic group and ethnic minorities. The average incarcerated youth comes from an economically deprived and disorganized neighborhood, a failing physical environment with high rates of mobility, and high crime rates.

Due to repeated academic setbacks, youth in correctional schools typically function an average of three years below grade level. Education problems include low achievement levels, lack of interest in and commitment to learning and school and discipline problems. They come to the facility without educational records. In spite of all the above-mentioned negatives, incarceration provides many correctional students with their only positive educational experience. There is the positive effect of combining the disciplined, structured environment of the institution with a structured educational program. This is especially true for the learning disabled student. Unfortunately, for most correctional education students, this is their final educational experience. (Harper, 1988; Rutherford, 1985; Haberman, 1986; Wolford, 1987; Forbes, 1991; Gagne, 1977, Rincker, 1990; Walker, 1991; Westat, 1991; Westendorp, 1986; Mayer, 1982; Finn, 1988; Hawkins, 1983, 1989 and 1987; Davidson, 1988; Bullock, 1983 and 1990; Carter, 1987; Meltzer, 1984; Ball, 1982; Roush, 1983; Garfunkel, 1986; Gehring, 1985; Wolford, 1985 and 1987; DeGraw, 1987; Sedlak, 1990; Cook, 1990; Amster, 1984; Duguid, 1990; Rabak, 1991; Thomas, 1983; Noblit, 1976; Novotny, 1991)

Educationally Handicapped Students

Inmates' learning disabilities and learning deficiencies are a key issue in correctional education. The prevalence of some handicapping condition—emotional disturbance, learning disability, mental retardation—among incarcerated youth is disproportionate to its prevalence among non-delinquent youth in the general population. Some 30% to 75% of delinquent youth suffer from some handicapping condition compared to a rate of 6.5% to 13.7% among all school-age children (Murphy, 1986). Learning-disabled youth are overrepresented in the juvenile justice system although they do not exhibit more delinquent behavior than nonlearning disabled youth. Their inability to compre-

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hend the significance of abstract ideas seriously impacts their understanding of and response to the juvenile justice system.

The following theories for this overrepresentation of learning disabled youth describe behavior that is mutually reinforcing by the youth and the adults who deal with them: (1) school failure rationale—learning disabilities lead to poor academic achievement and subsequent labelling as a "problem student" whose negative self-image and behaviors fulfill the label; (2) susceptibility rationale—learning disabled youths' personality and cognitive deficits cause them to be more vulnerable to delinquent behavior; (3) differential treatment hypothesis—learning disabled youth are treated differently from nonlearning disabled youth during arrest and adjudication due to their personality and cognitive deficits (Broder, 1981; Amster, 1984).

Correctional Education Models

The literature focused on two models of correctional education. The incremental model can trace its foundations to behavioral psychology. In rehabilitation terms, it is called the medical model and views criminal behavior as the result of individual psychological deficiencies that can be changed by behavior modification. Educators refer to it as the diagnostic/ prescriptive model. An authority figure, or "fixer," evaluates the student/client and develops an individualized plan for change that focuses on specific skill or knowledge deficits.

The developmental model is rooted in cognitive psychology. It focuses on cognitive functions and designs instructional strategies consistent with thinking processes. Students' personal development according to internal criteria such as attitudes and thinking skills is emphasized over the external criteria of specific knowledge and attaining skills (Collins, 1988; Duguid, 1990; Gehring, 1988; Eggleston, 1986).

Teaching Approaches

Most correctional education focuses on the completion of credits for return to public school classes at higher grade levels, raising achievement test scores, or preparation for the GED instead of the acquisition of functional skills needed to live independently and competently in today's society.

Innovative correctional education teaching strategies shown to be effective in improving learning and attitudes toward learning among students include:

- case management of individualized educational plans which are developed from the results of a series of diagnostic tests, followed while the youth is incarcerated and forwarded after release to the appropriate school;
- integration of law-related education, which focuses on development of cognitive and social interaction skills needed for citizenship and teaches about the legal system and legal processes via interactive teaching strategies;
- experiential programs, such as wilderness programs, that rely on group interaction and cooperation focus on action-oriented tasks which provide a sense of personal and group empowerment; omoral education programs which provide offenders with new thinking strategies and skills. Cooperative learning activities are based on values of life, property, law, truth, conscience, punishment, affiliation, and democracy;
- cognitive behavioral skills training, a treatment approach that targets both underlying cognitive processes and overt behavior and is used to teach basic skills;
- multi-disciplinary approaches with cooperative learning strategies, experiential sessions, and learning modules developed on life skill topics such as alcohol and other drug abuse and dependency; personal development, work assistance; communication, problem-solving, etc. Reading remediation instruction may be included. Specific multidisciplinary approaches include: structured learning training, a systematic, psychoeducational intervention which teaches a 50-skill curriculum of prosocial behaviors; aggression replacement training, an outgrowth of structured learning, composed of behavioral, affective, and cognitive interventions; and positive peer culture, based on a peer group approach to behavior change, helping others, and building a positive self-concept (Buzzell, 1988; Mayer, 1982; Laufenberg, 198?; Fredericks, 198?; C. Smith, 198?; Eggleston, 1990; Semmens, 1989; Freasier, 1986; Watanabe, 1990; Mixdorf, 1989; Van Nagel, 1986; Arbuthnot, 1983; Wiley, 1988 and 1989; Fox, 1989; Homant, 1984; Goldstein, 1986; McDougall, 1990; Duguid, 1990; Hawkins, 1991; Gehring, 1989; Ferguson, 1990; Montgomery, 198?; Grand, 1988; CEA, 1988; Van Nagel, 1986; and Goldstein, 1986; McDougall, 1990).

Transition Back to the Community

Transition is the process of referral, program placement, and follow-up for youth leaving the institution, detention or training school, and returning to the community to reestablish ties in a normalized setting. It is a key area because successful negotiation of this phase helps deter recidivism. However, it has been largely neglected, especially for special education students.

Although most youth eventually return to their families and previous schools, many are placed with foster families, in residential programs, independent living situations, or chemical dependency or mental health treatment programs, and remain dependent on the social service system. Many cease their formal education due to a lack of interest in school and/or the need to work to support themselves and/or their family. However, youth in their early teens are more likely to continue in school (Wolford, 1985; Maddox, 1984; Sutton, 1989; Rutherford, 1988; Forbes, 1991; Bullock, 1990; Westat, 1991; Amster, 1984; Watanabe, 1990).

Habilitation, not Rehabilitation

The need for the majority of inmates is for habilitation, not rehabilitation. Emerging changes in correctional education are linked to needs of confined learners, concepts of personal development, and empowerment. The economic and social context of learning is being integrated into the education of needed social and thinking knowledge and skills. Arbuthnot (1983) observes: "In sum, it is essential that correctional educators work toward creating environments or moral atmospheres in which inmates can practice and see in practice, social systems based on democratic principles." (Arbuthnot, 1983; Albrecht, 1991; Gehring, 1989; Ross, 1988; Rabak, 1991).

Cognitive Skill Development—Wave of the Future?

Over the last 15 years there has been a gradual shift from the "positivist" school of criminology, which views crime as the result of a variety of social ills degrading human dignity and promoting deviant behavior, to the "classical" school, which views crime as a result of a person's making destructive decisions because she or he has low self-control and receives gratification from criminal activity. The positivist remedy is to teach academic and vocational skills. The classical remedy is cognitive skill development.

The cognitive model can be a means of integrating different views of the factors involved in criminal behavior—sociological, neurological, nutritional, psychological, and environmental. These factors impact an individual's cognitive development and the likelihood of his or her involvement in criminal behavior. Inmates' personal histories affect how they think, problem-solve, and act on their values. The cognitive model has implications for education in both prevention and rehabilitation efforts.

The following cognitive deficits have been linked to criminal behavior: inability to delay gratification, consider consequences of behavior, and tolerate frustration; learned helplessness; externalization of blame; inflexible, uncreative, and simplistic thinking processes; misinterpretation of others' actions and intentions; inability to distinguish between one's own emotional states, thoughts, and views and those of others; and lack of consideration and empathy for others. Unrelated to learning disabilities or low intelligence, they are deficits in social or interpersonal reasoning.

Cognitive skills development promotes a sense of connection to other people and society and the ability to work within a group. If implemented properly, it empowers individuals to intervene and take control of their own life regardless of their own social, economic, or personal development issues. It promotes prosocial thinking, behavior, and values. New cognitive skills are taught and enhanced. Students are given an opportunity to breakthrough their shell of self-involvement (Duguid, 1988 and 1991; Buzzell, 1991; Laufenberg, 1987; Van Nagel, 1986; McDougall, 1991; Goldstein, 1986; Hawkins, 1991; Rabak, 1991; Merren, 1991; Samenow, 1991; Albrecht, 1991; Koby, 1991; Hains, 1987; Rubenstein, 1991; Gehring, 1988; Novotny, 1991; Fabiano, 1991; Ross, 1988; Research and Statistics Branch, 1991).

What Role for LRE?

In considering the role of LRE in correctional education, the following are some of the questions that need to be addressed:

- How does LRE assist in the habilitation of youth?
- How can LRE respond to Duguid's (1990) proposal that "assisting inmates in viewing citizenship as the possession of rights and taking responsibility for one's actions might have implications for curriculum and pedagogy. . . "?
- How can LRE fit into the variety of correctional education approaches?
- In what ways can LRE be a vehicle for fulfilling the recommendation of the Chapter 1 Final Report (1991) of "providing learning environments that differ from the traditional environment associated with failure, and promoting lively interaction between students and teachers. . . "?
- What role can LRE play in the development of curricular designs appropriate for special education youth and address their need to acquire functional skills?
- Can LRE be a vehicle for uniting a facility's security, clinical and educational staff in "creating environments or moral atmospheres in which inmates can practice, and see in practice, social systems based on democratic principles (Arbuthnot, 1983)"?
- Will bringing community resource people into the institution be a vehicle for developing a community approach to juvenile justice and decrease the isolation felt by juvenile justice correctional educators?

The only article that specifically addresses LRE in juvenile justice settings is Buzzell's article describing the impact of an LRE program on the attitudes and behavior of youth in the state boys training school in Eldora, Iowa (Buzzell, 1988).

A review of the literature suggests that LRE in correctional educational programs has a future. LRE's characteristic activities, such as involvement by community resource people, would, in this setting, serve to increase public awareness about correctional educators' contributions and needs. In addition, LRE theory and strategies complement the current trends in correctional education and its lessons can be adapted to a variety of settings. LRE can also be a catalyst to foster intra-institutional cooperation and cooperation between the education, treatment, and corrections systems.

(*Editor's note*: The complete literature review and bibliography are available for $4.95 from the Special Committee on Youth Education for Citizenship, 541 N. Fairbanks, Chicago, IL 60611-3314; (312) 988-5735.)

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